

## 4 LAND USE

**T**HE LAND USE ELEMENT is one of the seven mandatory elements California law requires to be part of a General Plan. The purpose of the Land Use Element is to identify the locations and types of land uses that are to be designated throughout the City and Planning Area. Land use classifications are intended to show the future use of lands during the life of the Plan.

The Land Use Element provides broad classifications for how land can be used. These classifications are the foundations upon which the land development code — zoning and subdivision regulations — are developed. These implementing regulations determine the precise land uses that are permitted or conditionally permitted on a piece of property. The General Plan is not intended to be as precise in identifying specific land uses.

Traditionally, land use designations were first applied by creating a General Plan Land Use Map and then defining why one parcel is “commercial” while another down the same street might be “residential.” In contrast, the Ukiah General Plan and Growth Management Program builds a series of layers that identify important resource and infrastructure issues that have an effect on the *density* and *intensity* of land use.

All policies developed within the General Plan come to fruition with the assignment of land use classifications. A culmination of all General Plan policy programs, the Land Use Element defines what kinds of uses can occur and where they can occur. Decisions on land use designations are based on the goals of the entire general plan.

The Land Use Element is organized with an introduction describing the role of the Element. This is followed by policy programs related to “legally existing non-conforming land uses.” The future growth of the City limits is next, defining policies related to annexation and land use in the Sphere of Influence. Land use classifications, descriptions of the purposes, typical uses within each classification, and siting policies comprise the balance of the Element.

### 4.01 Introduction

**L**and use designations broadly define the potential uses of a site. For instance, a site designated within the General Plan for residential use may be developed with a residential use; it may not, however, be developed with a commercial or industrial use. Each of these types of uses carries a different economic value to the property owner. In some cases the use allowed under the General Plan land use designation may be the highest and best use in terms of economic benefit to the property owner but, then again, it may not be. Economic benefit to the property owner is not a criterion for determining the appropriate land use designation. Rather, decision making bodies review the goals, policies and implementation measures contained within the entire General Plan and make land use designations which facilitate the accomplishment of the Plan’s goals and implementation of the Plan’s policies and implementation measures.

The designation of a piece of land for a particular use does not mean that the use will be developed. Many other factors influence the actual development of a site including the desires of the property owner, the presence or absence of infrastructure improvements (roads, water, sewer, etc.) and the marketplace.



If the market does not economically justify developing a parcel into a particular land use, it will remain undeveloped or under-developed until market conditions change.

In some situations, a land use may be proposed that the public is willing to "subsidize" because of the overall or long-term benefit delivered to the community. The re-allocation of incremental taxes<sup>1</sup> in the Redevelopment Area is an example of the public benefit subsidy of market forces. Other public subsidies to encourage new development or redevelopment in the area include fee waivers, fast-track permit processing, or special tax abatements. In limited situations, the City or County can provide financial support through the sale of bonds or interest reductions.

The *physical features* of the Ukiah Valley make it an attractive place to live. These features also provide development constraints<sup>2</sup> such as the flood plains, steep hillsides, prime agricultural lands, and unstable geologic conditions. These development constraints limit the likelihood of Ukiah turning into a sprawling hill-to-hill, developed, urban area.

*Infrastructure* is commonly viewed as roads, water supply, and sewage disposal. It also involves all facets of connecting people to commerce. This includes telecommunications, electric power, police protection, fire protection, local staff personnel, public buildings, parks, and the ability of the City, County, and special districts to maintain or improve those services.

Land cannot be relocated nor can it be renewed. Designation of its use will have a long-lasting effect on the particular parcel being evaluated and on other lands in the surrounding area. Although a parcel of land may have a number of potential uses — some desired by the property owner, some desired by the public, and others directed by Plan policies — some of these uses may have to be limited to ensure that the parcel's use reflects the goals and policies of the General Plan.

The impacts and or requirements of one land use may be in direct conflict with other land uses. For instance, industrial land uses often produce loud noises and require the presence of hazardous materials. Were a residential land use to be located directly adjacent to an industrial use conflicts might exist between the two: the risks associated with the use of hazardous materials may be intolerable given the presence of young children and old people (sensitive populations) nearby, the noise produced by industrial uses may be intolerable given the residential nature of the adjacent land use. When two land uses adjoin that have mutually exclusive requirements, they are considered to be "incompatible." Sometimes incompatible land uses are separated with a "buffer."<sup>3</sup> A buffer may take the form of a physical feature—such as the Russian River, US 101, the railroad, streams, or canyons. It may also be other land uses—such as landscaping, greenbelts, or even the nonaccess side of recreational areas.

The Land Use Element is organized to identify the broad land use classifications and also the criteria that are used to classify a parcel of land within the classification. The term "land use classification" and "land use designation" both have the same meaning and refer to the written criteria and location on the General Plan Land Use Map. The terms "district" or "zone" refer to how a parcel is categorized in the land development code and on the zoning map. Although all zoning districts must be consistent with the General Plan classification (residential zones can only be located within residential districts), there may be

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<sup>1</sup>Incremental taxes are the revenues collected by the Redevelopment Agency to reinvest in its Redevelopment Area.

<sup>2</sup>A *constraint* is a physical characteristic of a site that limits potential development by increasing the potential cost beyond that of a feasible return or makes site development an unsafe public hazard.

<sup>3</sup>A *buffer* is a physical separation between developed portions of two adjoining parcels. The buffer may be a natural feature, such as the Russian River, or it may be an undeveloped strip of landscaping or native terrain that provides a physical separation.

more zones than General Plan classifications for land. The Land Use Element contains a "Land Use Population Density and Building Intensity" chart to provide a further explanation.

## **4.02 Legally Existing Non-Conforming Land Uses**

### **4.02.01 Summary of major findings**

**W**hen a General Plan is re-written, land use classifications may change for all parcels in a neighborhood to reflect the future development pattern desired for that area. When this occurs, there are sometimes land uses which were legally approved and permitted prior to the adoption of the re-written General Plan that no longer conform to the land use classification's requirements. These land uses, which are colloquially called *grandfathered* land uses, are actually *legally existing non-conforming land uses*. This term means that the use was legally in place prior to the adoption of the Plan but it no longer conforms to the permitted uses allowed by the revised General Plan.

Similarly, there are structures that have been in the same location for many years — such a long time that the structure may even pre-date zoning or planning requirements. These structures may have been used over the years for a variety of uses that are suited to the structure but have never "conformed" to zoning codes. This type of structure is called a *legally existing non-conforming structure*. It is entitled to similar policy protections as legally existing non-conforming land uses — provided that continuous use is maintained. It is the objective of the Land Use Element to ensure that all legally existing uses of land shall continue to be allowed regardless of the new land use classification implemented by this Plan.

References to "codes" in this section refer to land use and zoning codes; the Uniform Building Code (UBC) is not covered under this reference. This section of the General Plan does not have any policy program that relates to whether a structure was built to the applicable standards of the UBC.

California law allows standards to be applied that protect the established property rights and ensure that a use or structure can be reestablished if it is unintentionally destroyed in a fire or other disaster. In the event of a disaster resulting in damage or destruction of a land use, the property owner may be entitled to rebuild the legally existing non-conforming use or structure to the same density or intensity that existed prior to the damage, without being required to obtain a conditional use permit, provided that the rebuilding begins within a twenty-four month period of time following the event. The structure itself, however, would be required to comply with current building code standards and current site development regulations.

Within the incorporated City limits, no further development or expansion of a non-conforming land use is permitted, a long-standing City zoning code standard. The goal of this policy is to ensure that legally existing non-conforming land uses do not develop into problem land uses due to expansion or enlargement. The County, because of its historical development patterns, has conditionally permitted the expansion of legally existing non-conforming land uses. In order to expand, a conditional use permit must be approved by the Planning Commission. In reviewing a conditional use permit for enlargement of a

legal non-conforming land use, the Planning Commission considers the type of expansion and its effects on the surrounding area. The County also considers what type of conforming development has occurred surrounding the non-conforming land use. The expansion may warrant a need to upgrade buildings to meet

the County's current building code and site development standards (such as parking, landscaping, or other site development standards). The County has long maintained a policy that "similar" or "less intensive" uses may replace legally existing non-conforming land uses.

**Explanation VI.4-XXI: Summary of policies for legally existing, non-conforming land uses**

1. A legally existing non-conforming land use shall be permitted to continue under the provisions of any legally-issued building or zoning permit.
2. The use may be continued or re-established provided that it is not abandoned for a period of more than twenty-four consecutive calendar months.
3. The County shall have the flexibility to determine whether a proposed replacement of a non-conforming use is "similar to" or "less intense" than the original legally-existing non-conforming land use. If such a finding is supported, the County may approve a change of non-conforming land use.
4. Within the City and unincorporated County, a legally existing land use may be expanded upon the discretionary consideration of a conditional use permit.
5. In the event of a partial or complete, destruction, the use may be re-established without a use permit to the same or lesser density or intensity as existed prior to the destruction, but must meet current building standards and site development regulations.

Structures and uses which do not conform to land use regulations and cannot demonstrate their legal existence — having been built (structure) or begun (use) without City or County permits — shall not be afforded the same rights and protections of legally existing non-conforming structures and uses. California law has long established that a use, structure, or parcel of land that was created in violation of ordinances or regulations cannot be "grandfathered."

The City and County development codes may establish an "amnesty" date before which all existing structures and uses are considered to be legally established. Record keeping for older projects in both the City and the County is far from comprehensive. This makes it difficult to determine when some older land uses were initiated or structures built. Uses and structures that are determined to have commenced or been built before the amnesty date will be presumed to be legally existing land uses or structures.

**4.02.02 General Plan goals, policies, and implementing programs**

**G**oal LU-1: **Protect legally-existing, non-conforming land uses.**

*Policy LU-1.1:* Continued use of legally existing non-conforming land uses is allowed in conformance with approved permits.

*Implementation Measure LU-1.1(a):* Legally-existing non-conforming land uses may continue operations under original permits following adoption of regulations that make the use non-conforming.<sup>4</sup> [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Community Development, County Department of Planning and Building]

*Implementation Measure LU-1.1(b):* As long as the use is continuous, legally-existing non-conforming land uses shall be permitted to continue operations without conforming to new General Plan or other codes enacted after the establishment of the use. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Community Development, County Department of Planning and Building]

*Implementation Measure LU-1.1(c):* In the event of a complete or partial destruction of a legally existing non-conforming land use, allow reconstruction to the same or lesser density or intensity in conformance with the current General Plan and building codes.<sup>5</sup> [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Community Development, County Department of Planning and Building]

*Implementation Measure LU-1.1(d):* The City or County may conditionally approve an expansion of a legally existing non-conforming land use through the Conditional Use Permit process. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: County ♦ Agency/Department responsible: County Department of Planning and Building]

*Policy LU-1.2:* Allow reestablishment of legally existing non-conforming land uses that have been abandoned for twenty-four months or less.

*Implementation Measure LU-1.2(a):* The City or County shall have the authority to make findings that a legally existing non-conforming land use may be replaced by a subsequent non-conforming land use if the subsequent use is "similar to" or "less intense" than the use it is replacing. Such a change in land use shall occur within twenty-four months of the abandonment of the original legally-existing non-conforming land use. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: County ♦ Agency/Department responsible: County Department of Planning and Building]

**G**oal LU-2: Illegally established non-conforming uses and structures cannot become "legally existing."

*Policy LU-2.1:* Enforce current land use and zoning codes and site development standards when uses or structures have never been legally established.

*Implementation Measure LU-2.1(a):* Uses or structures which were never established in conformance with applicable land use or zoning codes, land use or zoning plans, or land use or zoning regulations shall be required to seek appropriate permitting under provisions in effect at the time of discovery of the illegal use or structure. Failure

<sup>4</sup>In the event that the use or structure was legally established prior to permitting requirements, the standard applied to the use or structure shall be to ensure conformance with basic public health and safety requirements.

<sup>5</sup>If there are specific circumstances unique to the project site that would preclude reconstruction of the use if strict conformance to the site development standards or current zoning standards were applied, a variance may be considered through the normal variance review process. This footnote is a part of Implementation Measure LU-1a(3) for purposes of clarification.

to be able to conform to current regulations shall not be a basis for approval of a variance as a remedy for the use's or structure's inability to conform to current land use or zoning codes. Abatement of an illegal use or structure pursuant to the City or County zoning codes shall be a permitted remedy. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City and County Planning]

**Policy LU-2.2:** Consider special circumstances when determining if a use or structure is not legally existing.

**Implementation Measure LU-2.2(a):** City and County zoning codes sections addressing non-conforming uses or structures may, at the option of the agency, include a threshold date — based on agency building or planning records — to be used to define that a structure built or use established prior to the date is presumed to be valid. The property owner of a use or structure believed to be illegally existing shall provide tangible proof that the use or structure predates the cut-off date in order for the City or County to make the appropriate finding that the use is valid. [Timeframe for completion: Short-term planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Departments]

## 4.03 Land use policies

### 4.03.01 Summary of major findings

When it comes to land use policies, there are two significant competing sets of interest. One is the objectives of a property owner to maximize the financial value or equity of property. The other is local government's the overall vision of the Community, and maintaining an inventory to meet the long-range needs of its citizens. Sometimes the objectives of property owners and local government coincide. Sometimes the two interests diverge. The Land Use Element — and its policies displayed graphically on the Land Use Map — represents the balance between interests as defined by the City and the County for the area of the General Plan.

Combining the policies from all of the elements provides a comprehensive foundation for assigning land use classifications. Some of the issues considered with land use include (1) *constraints* such as slopes, floodplain, and noise contours; (2) *resources* — agricultural lands, the Russian River corridor, riparian corridors, and grazing lands; and (3) *infrastructure* — transportation corridors, alternatives to the car, levels of service, sewer, water, fire protection, and other governmental services.

Individual land use categories — residential, commercial, industrial, and resource — have siting criteria and characteristics that are used to fine tune the allocation of land uses in the General Plan.

#### 4.03.01(A) Agricultural lands.

Agricultural lands and urban areas need to be separated by a stable limit to urban expansion. This concept is to prevent the “domino” effect in which one agricultural parcel converts to an urban use followed by the next and the next and so on. Maintaining agricultural lands is an important land use policy within the General Plan. The Policy is built from the “right to farm” provisions in the Open Space and

<sup>6</sup>Although this is assigned to the short-term planning period, the City or County may implement it at any point in time that the agency updates its zoning code or finds it appropriate to add an amendment for this measure.

Conservation Element which protects active agricultural lands in the Valley. Agriculturally-viable soil is a fixed resource — it cannot be replaced.

#### **4.03.01(B) Residential uses.**

While the Housing Element focuses solely on the City's needs to ensure lands for 775 new residential units over the next five years, the County also has residential land requirements for the Ukiah Valley. The Mendocino Council of Governments — which is responsible for assigning the "fair share" housing needs — identifies that the unincorporated County in the *Ukiah Valley Area* has a five year housing need of 1,431 units.<sup>7</sup> Residential land allocations must ensure that (1) there is adequate land area within the County to meet this need over the next five years; and (2) that County residentially-designated lands annexed into the City result in a transfer of the regional housing fair share from the County to the City.

Because the Sphere of Influence proposes to be the ultimate City boundaries, the land uses in the Sphere should be at population densities and building intensities compatible with those permitted in the City. New residential land use patterns need to be located in areas where the new populations can be served by local government without placing undue fiscal strains on the new property owners, the City, the County, or various special districts. Urban-scale land uses — low, medium, and high density residential — generally need to be located west of U.S. Highway 101 where there are adequate public facilities and services.

West of the river there is a generally adequate system of roads, feasible means of providing transit, closer proximity to employment, and fewer conflicts with environmental constraints. The vision to maintain quality of life issues and resource protection is best achieved with urban development locating west of the highway.

#### **4.03.01(C) "Urban" areas within the Ukiah Valley: Calpella, the Forks, North State, and Talmage**

There are four distinct areas in the General Plan that define where new urban-scale land uses may be sited. These are (1) the City of Ukiah; (2) the Ukiah Sphere of Influence;<sup>8</sup> (3) the Rural Communities (Calpella, The Forks, Talmage) and the North State Complex; (4) Master Plan Areas.<sup>9</sup>

The City of Ukiah is the central city to the Ukiah Valley — and much of Mendocino and Lake counties — serving as a regional center of employment, shopping, and housing. As a full service City, Ukiah is able to provide services to urban development in a fiscally responsible manner.

The Ukiah Sphere of Influence represents an area that may be the ultimate City limits during the life of the General Plan (a twenty year period). Virtually all portions of the proposed Sphere are located within range of city services. With the potential for annexation, the Sphere of Influence is a likely area in which urban land uses may be sited.

Within the unincorporated Planning Area there are three Rural Communities — Calpella, Talmage, and The Forks. *Calpella* is a community developed around a lumber mill which is now closed. The

<sup>7</sup>Mendocino County Board of Supervisors, *Mendocino County General Plan Housing Element* (Ukiah: Mendocino County, April 26, 1993), Table 10.2-5, page I-61. The data in the Unincorporated Ukiah area includes lands outside of the General Plan Planning Area.

<sup>8</sup>The Sphere of Influence referred to in the General Plan is based on the Sphere of Influence proposed by the Plan and not the current adopted Sphere. The final boundaries of the Sphere are subject to adoption by the Mendocino County Local Agency Formation Commission.

<sup>9</sup>The *Lovers Lane Specific Plan Area*, which is an type of Master Plan Area is within the City's Sphere of Influence.

community has a mix of all densities and character of residential uses, commercial, and industrial land uses. Calpella is recognized as an area in which future community land uses may be sited. *The Forks* is a former train station at the forks of the Russian River branches. The area is a central commercial and industrial community that connects rural residential communities north and east of the Russian River branches with the main highway and the City of Ukiah. *Talmage* also has a mixture of residential densities, limited commercial uses, and agriculturally-related industries. It also has a private religious institution, the City of Ten Thousand Buddhists. Talmage has served as an agrarian center, and community belief is that this role should continue, and intense commercial or non-agriculturally related industrial uses should not be proposed in this area.

The *North State Complex* is not a Rural Community of residential, commercial, and industrial uses. Rather, it is a central point of business and commerce for portions of the unincorporated County. The area has long been developed with heavy industrial uses, such as the Masonite Mill and the Louisiana Pacific Mill. The intent of the North State Complex is to become an exclusive commercial and industrial area.

*Master Plan Areas* are a new classification in the Ukiah Valley. Master Plan Areas are intended to cover lands proposed for "specific plans," "area plans," or as "planned unit developments."<sup>10</sup> A *Specific Plan* is called out in California law as an adopted plan that provides precise development standards and policies for an area of land. State law specifies what must be included in a Specific Plan. . Sometimes a private developer, the City, or County would prefer to have a less precise development proposal to be considered for adoption. The role of the Master Plan Area is to permit an area within the Ukiah Valley to be designated for more precise, site specific studies prior to approving subdivisions or other uses. This is to be called a "Master Plan Area." A Master Plan area permits the following:

- Amending the General Plan to show an area of one or more ownerships as a location for which a separate planning document has been prepared.
- Preparing an area plan for the Master Plan Area that will identify land use and other development and environmental policies applicable to the defined area.
- Master Plans need not address all elements of the General Plan, but only those elements and policies applicable to the area. However, General Plan policies not addressed in the Master Plan still apply to the Master Plan area.
- Master Plans must be consistent with the General Plan.
- The Master Plan Area land use classification is to be applied to the parcels contained within a Master Plan or a Specific Plan at the time of adoption by the City or County. If the General Plan is undergoing an update or revision, and a Master Plan or Specific Plan is being prepared, the revised or updated General Plan may show the subject property as a Master Plan Area.

#### 4.03.02 General Plan goals, policies, and implementing programs

**G**oal LU-3: Protect agricultural lands from urban encroachment.

*Policy LU-3.1:* Retain agricultural lands as areas in which urban land uses shall be precluded.

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<sup>10</sup>While the General Plan was being prepared, a Specific Plan proposal is pending for the Lovers Lane area north of the City.

*Implementation Measure LU-3.1(a):* The Land Use Map shall depict locations for urban land uses such as the City of Ukiah, the City of Ukiah Sphere of Influence, the Rural Communities, and the North State Complex. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Commissions]

*Implementation Measure LU-3.1(b):* Densities for new parcels within the Agricultural land use classification on the Land Use map shall be limited to one dwelling per forty or more acres. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Department of Planning and County Department of Planning and Building]

*Implementation Measure LU-3.1(c):* Densities for new parcels within the Rural Residential land use classification on the Land Use map shall be limited to one dwelling unit per one or more acres. At a minimum, the density shall be based on the siting criteria identified in the Plan, Population Density and Building Intensity. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Department of Planning and County Department of Planning and Building]

*Implementation Measure LU-3.1(d):* Densities for new parcels within the Remote Residential land use classification on the Land Use map shall be limited to one dwelling unit per forty or more acres. At a minimum, and depending on the slope of the parcel, the density shall be based on the siting criteria identified in the Plan and on Table VI, VI.4, 4-44, 44, Population Density and Building Intensity. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Department of Planning and County Department of Planning and Building]

*Implementation Measure LU-3.1(e):* Densities for new parcels within the Range and Resource Land use classification shall be limited to one dwelling unit per one hundred and sixty or more acres. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Department of Planning and County Department of Planning and Building]

*Implementation Measure LU-3.1(f):* No commercial or industrial land uses shall be permitted outside of the urban areas (the City of Ukiah, the City of Ukiah's Sphere of Influence, the Rural Communities, and the North State Street Complex) of the General Plan, unless defined as agriculturally related. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Commissions]

*Implementation Measure LU-3.1(g):* No land uses shall be approved for which a finding can be substantiated that the new use will have an unmitigated adverse impact on existing agricultural land uses and businesses. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Commissions]

**G**oal LU-4: **Balance the housing needs of the City and County.**

*Policy LU-4.1:* The City shall respect the County's need to provide an adequate inventory of land to accommodate its fair share of housing for the unincorporated Planning Area.

**Implementation Measure LU-4.1(a):** As a condition of annexation of residential lands from the County, the City's Housing Element shall be amended to increase the City's housing fair share by the number of needed housing units the County is surrendering. The County's Housing Element shall be amended to reflect the reduction in housing "fair share." [Timeframe for completion: Ongoing Measure applies to: City ♦ planning period ♦ Agency/Department responsible: City Council]

**Implementation Measure LU-4.1(b):** In reviewing applications for development within the unincorporated County submitted to the City for comment, the City shall give consideration to the County's regional "fair share" housing needs. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City ♦ Agency/Department responsible: Planning Department]

**Goal LU-5:** Generally urban residential land uses shall be located west of the Russian River.

**Policy LU-5.1:** Locate Low Density, Medium Density, and High Density Residential Land uses predominantly west of the Russian River and near urban areas.

**Implementation Measure LU-5.1(a):** The following table shall identify where urban residential land use densities may be located within the Ukiah Valley: [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Departments]

**Table VI.4-42: Urban Residential Land Use Siting**

Classification	Units/Acre	City of Ukiah	Sphere of Influence	Rural Community	Remainder of Planning Area
Rural Residential	1 du/acre or less	✓	✓	✓	✓
Low Density	1-6 du/acre	✓	✓	✓	✓
Medium Density	1-14 du/acre	✓	✓	✓	
High Density	1-28 du/acre	✓	✓	✓	

**Goal LU-6:** Utilize Master Plan Areas to meet precise planning needs.

**Policy LU-6.1:** Allow the use of Master Plan Areas to provide for mixed use development, transit-oriented development, and other precise-planning needs for larger ownerships or groups of ownerships.

**Implementation Measure LU-6.1(a):** Master Plan Areas may be initiated through General Plan Amendments by property owners, the City, or the County as a means of meeting comprehensive planning needs or special and unique circumstances that are best served through a planning document that focuses on a particular area. [Timeframe

*for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Departments]*

*Implementation Measure LU-6.1(b): Master Plan Area policies shall be consistent with the General Plan, although Master Plan Area policies may be more specific and precise than the General Plan, or the policies may address more issues than identified in the General Plan. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Departments]*

*Implementation Measure LU-6.1(c): Policies within the General Plan that are not specifically addressed in a Master Plan shall apply to the Master Plan Area. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Department]*

*Implementation Measure LU-6.1(d): When a Master Plan is adopted, the General Plan land use map shall be amended to show the area of the Master Plan as the “[Name of Plan] Master Plan Area,” with the notation to “refer to the [Name of Plan] Master Plan.” Adopting the Master Plan shall be deemed the action that also amends the General Plan land use map. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Department]*

*Implementation Measure LU-6.1(e): Specific Plans meeting the requirements of California law may be substituted for Master Plans when it is the preferable planning program. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Department]*

*Implementation Measure LU-6.1(f): Master Plans shall be adopted utilizing the same process as a General Plan amendment. [Timeframe for completion: Ongoing planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: Planning Department]*

*Implementation Measure LU-6.1(g): The area of the Lovers Lane Specific Plan shall be identified on the Land Use Map as the “Lovers Lane Master Plan Area.” Any other master plans or specific plans that are in progress shall be identified in the General Plan as the “[Name of Plan] Master Plan Area.” [Timeframe for completion: Short-term planning period ♦ Measure applies to: City and County ♦ Agency/Department responsible: City Planning Department, County Department of Planning and Building]*

## **4.04 Resource lands**

### **4.04.01 Agricultural Land Use (AG)**

#### **4.04.01(A) Summary of major findings**

**Purpose:** The Agricultural Lands classification applies to lands which are suited for and are used for production of crops, most lands under agricultural preserve contracts, land having present or future potential for agricultural production, and contiguous or intermixed smaller parcels on which non-compatible uses could jeopardize the agricultural use of agricultural lands. Lands within the AG classification are protected from encroachment of incompatible uses by the “Right to Farm” provisions of the Open Space and Conservation Element. Agriculture lands are intended to include both the growing, raising, and harvesting of agricultural produce, fruit, or livestock. In addition, based on performance standards established in the development code, uses related to the production or processing of agricultural products may be permitted or conditionally permitted.

**4.04.01(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Single family dwellings, orchards, row crops, irrigated pasture, grazing land, vineyards, Christmas tree farms, farm and ranch labor housing, agriculturally-related industries, wineries, food processing; mineral resource extraction.

**Siting issues for new parcels or new construction:**

**Location:** Parcels to be included in the AG land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, Master Plan Areas, and the remainder of the Unincorporated Planning Area.

**Access:** No requirements for farming, orchards, or ranching. Processing and production may have limitations based on the proposed use and traffic generation.

**Access to new structures:** New related uses, such as food processing or wineries, may be required to have paved access depending on the type of general traffic, public access, and other issues.

**Design review:** Exempt for individual single family dwellings, farms, ranches, and orchards. Wineries or processing facilities may be required to be reviewed.

**Maximum building intensity:** No limitation for farms, ranches, and orchards. Agricultural product processing facilities may have limits through the use permit process.

**Maximum residential density:** One dwelling unit per forty acres of land area.

**Second dwellings:** One second dwelling subject to an administrative permit within the unincorporated Planning Area. Labor housing may be permitted with an administrative use permit or conditional use permit review.

**Special development issues:** Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

**Development alternative:** Density transfer and cluster development permitted.

**4.04.02 Range and Resource Lands (RL)**

**4.04.02(A) Summary of major findings**

**Purpose:** The Range and Resource Lands (RL) classification applies to lands which are suited for and are appropriately retained for the grazing of livestock, timber production, and mineral extraction and production. The classification includes other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands. The Range and Resource Lands classification includes lands which have been identified and are classified as mineral resource lands, and lands utilized for commercial timber harvest and reforestation. Range and Resource Lands may also include lands which are appropriate for conservation as natural resources, such as steep hillsides.

#### **4.04.02(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Single family dwellings, agricultural uses, forestry, cottage industries, farm and ranch labor housing, uses determined to be related to and compatible with ranching, conservation, processing, and development of natural resources, recreation, utility installations, mineral resource excavation, extraction, and processing.

##### **Siting issues for new parcels or new construction:**

**Location:** Parcels to be included in the RL land use classification may be located in the City of Ukiah Sphere of Influence, and the remainder of the Unincorporated Planning Area.

**Access:** No requirements for farming, orchards, or ranching. Processing and production may have limitations based on the proposed use and traffic generation.

**Access to new structures:** New related uses, such as food processing or wineries, may be required to have paved access depending on the type of general traffic, public access, and other issues.

**Design review:** Exempt for individual single family dwellings, farms, ranches, and orchards. Wineries or processing facilities may be required to be reviewed.

**Maximum building intensity:** No limitation for farms, ranches, and orchards. Agricultural product processing facilities may have limits through the use permit process.

**Maximum residential density:** One dwelling unit per one hundred and sixty acres of land area.

**Second dwellings:** One second dwelling subject to an administrative permit within the unincorporated Planning Area. Labor housing may be permitted with an administrative use permit or conditional use permit review.

**Special development issues:** Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

**Development alternative:** Density transfer and cluster development permitted.

#### **4.04.03 Remote Residential (RMR)**

##### **4.04.03(A) Summary of major findings**

**Purpose:** The Remote Residential (RMR) classification applies to lands that might also meet the "Rural Residential" criteria, except that the parcels are on steep slopes or at the top of ridgelines. Generally, RMR parcels do not have direct access to a publicly-maintained paved road.

##### **4.04.03(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Single family residences, agricultural uses, cottage industries, public facilities, conservation and development of natural resources, and recreation, utility installations.

**Siting issues for new parcels or new construction:**

*Location:* Parcels to be included in the RMR land use classification may be located in the remainder of the Unincorporated Planning Area.

*Access:* Paved or gravel, public or private road.

*Maximum density:* One dwelling per forty to eighty or more acres.

*Second dwellings:* One second dwelling subject to an administrative permit within the unincorporated Planning Area.

*Special development standards:* With the exception of density and parcel size, the standards of the RR classification apply.

*Development alternative:* Density transfer and cluster development permitted.

**4.05 Residential Land Use****4.05.01 Density, Density transfer, and second units****4.05.01(A) Density and density transfer.**

The General Plan is prepared with each land use identified in terms of density. Density is the amount of land area needed for each dwelling unit. Although this is the reverse of how most people think of zoning — which establishes a *minimum size of a parcel* — density allows for more flexibility. By not establishing a minimum parcel size in the General Plan, the City and County Planning Commissions have more flexibility in developing zoning regulations, site development standards, and an ability to review a project based on site specific considerations.

The following is an example of this flexibility: Assume a subdivider has a ten acre parcel with a General Plan density which allows up to four units per acre. This translates into an ability to create 40 developable lots. Were a minimum parcel size established, in this case  $\frac{1}{4}$ -acre lots, the subdivider would have to create 40 one quarter (0.25) acre parcels. This would allow the subdivider very little flexibility in lot layout and design. If the 10-acre original parcel contained sensitive land areas, such as wetlands, riparian corridors, landslide areas, etc., there would be very little a developer could do to avoid impacting these areas. However, if the General Plan designates a density only, the subdivider can design the subdivision to keep sensitive lands undeveloped and place the forty development sites on smaller parcels. The City and County can make the determination if the project meets General Plan goals. This process is known as a "density transfer;" the density from one portion of the property was transferred to other portions of the same property<sup>11</sup>.

If the subdivision were to be approved with the forty units on eight acres with two acres remaining in open space, the City or County would zone the property into the appropriate base zoning district (Rural Residential (RR) or Single Family Residential (R1)) and combine it with a classification which restricts the property from being further subdivided. This General Plan classification is the *Existing Lot Size (X)* designation. The "X" nomenclature will be added to the City and County zoning codes as a "combining"

<sup>11</sup>Density Transfers can also refer to the ability to transfer the development of one parcel to a completely different parcel. This, however, is not the type of density transfer referred to in this section.

or "overlay" district. The "X" serves as a full disclosure to future buyers that the property cannot be further subdivided.

#### **4.05.02 Rural Density (RR) Residential**

##### **4.05.02(A) *Summary of major findings***

**Purpose:** The RR classification applies to single family residences, residential dwellings on large parcels, and estate residential lands. The RR classification is intended to encourage local small scale food production (farming) in portions of the Planning Area which are not well suited for large scale commercial agriculture as a result of current or potential land uses in the area, slope, soils characteristics, parcel size, or general location. Lands within the RR classification with a density of one unit per ten acres or less are

intended to remain as large parcels unless it is infeasible for surrounding lands to be used for agricultural purposes. One of the objectives for retaining a larger parcel size in the Planning Area, even though a specific parcel may not be suitable for agricultural use, is to ensure that nearby or adjoining agricultural lands are not impacted by residential uses. Through the use of policies related to site characteristics, the RR classification is intended to have multiple densities beginning at one dwelling unit per one acre of gross land area. In extreme cases, up to eighty or more acres may be required.

**4.05.02(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable land uses:** Single family residences, small scale agriculture, businesses in the home or cottage industries, public facilities, conservation and development of natural resources. Although clustering of dwelling units is permitted, residential dwellings in the RR classification are to be detached single family homes.

**Siting issues for new parcels or new construction:**

**Location:** Parcels to be included in the RR land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, Master Plan Areas, and the remainder of the Unincorporated Planning Area, with the exception of the North State Complex.

**Access:** Within the City, new parcels shall be served by roads with a level of service of A, B, or C.

Within the unincorporated Planning Area, new parcels of less than five acres shall be served by roads with a level of service of A, B, C, or D. New parcels served by roads with levels of service of E, or F shall be five acres or larger.

**Access to new structures:** Inside City limits, driveways shall be paved; in unincorporated areas, driveways may be gravel or paved.

**Design review:**<sup>12</sup> Not required, except in hillside areas. Planned Unit Developments and Master Plan areas within the RR land use shall include design standards in the Plan.

**Maximum density:** One single family dwelling per one acre of gross land area<sup>13</sup>, except as follows:

A range of larger parcel sizes based on increasing average parcel slope shall be required on hillsides when the average parcel slope is equal to or greater than the percentage specified in the Hillside Development ordinance enacted to carry out the General Plan. For an interim basis, the percentage shall be 21 % or greater;

<sup>12</sup>Design review means the public or agency review of the aesthetics of development: building appearance and character, colors, landscaping, location of parking, siting of the structure on its building site, and other issues related to the appearance characteristics of the development.

<sup>13</sup>Within the unincorporated area of the County, parcels within the RR-1 or RR-2 classification may be 40,000 or 80,000 square feet of gross land area respectively.

Within the unincorporated Planning Area, parcel sizes may range from one (1) to eighty (80) or more acres. Within areas with severe slopes or other development constraints, new parcels may be precluded and densities established at one single family dwelling per existing parcel.

On roads with a gravel surface: One single family dwelling per five acres.

*Special development issues:* Access roads or driveways in hillside areas shall be limited to a grade accessible to City or Fire District equipment and within the City, the access roads or driveways shall be paved.

Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

Density transfer and cluster development permitted, although the City or County may require a one acre minimum parcel size even with clustering.

Geotechnical conditions on specific sites may require larger parcel sizes or constrained building envelopes.

When parcels are in areas that for environmental or other reasons cannot be further subdivided, the *Existing Lot Size (X)* classification is combined with the RR classification. A designation of RR-X means that the property cannot be further subdivided.

#### **4.05.03 Low Density (LDR) Residential**

##### **4.05.03(A) Summary of Major Findings**

**Purpose:** The Low Density Residential classification is intended to provide lands for detached or attached single family residences. This designation is the traditional suburban style or City neighborhood style development density. The LR classification is for lands within the City, the Sphere of Influence, Master Plan Areas, and within Rural Communities, or large subdivisions or planned unit developments.

##### **4.05.03(A) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Single family dwellings, in the County the LR classification includes mobile home parks within the maximum permitted density, businesses in the home or cottage industries; public facilities; places of public assembly.

##### **Siting issues for new parcels or new construction:**

**Siting issues for new parcels or new construction:**

**Location:** Parcels to be included in the LR land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, Master Plan Areas, and fronting North State Street between The Forks and Calpella Rural Communities.

**Access:** New parcels may be located on roads classified as County Rural Collector, Major Collector, Minor Collector, Residential, or on North State Street between The Forks and Calpella Rural Communities, with a level of service of A, B, or C, and on roads with a Level of Service D in the unincorporated Planning Area.

**Access to new structures:** Paved surface required for densities higher than one dwelling unit per acre.

**Design review:** Not required. Planned Unit Developments and Master Plan areas within the LR land use shall include design standards in the Plan.

**Maximum density:**<sup>14</sup> One to six dwelling units per one acre of gross land area with public water and public sewer; one dwelling unit per 12,000 square feet of gross land area with public water or public sewer; one dwelling unit per one acre of gross land area with well and septic system. On roads with a Level of Service of C and D in the City only, E, or F, the maximum density is one unit per five acres of gross land area.

**Special development issues:** New dwelling units in the LR classification may be attached or detached single family units. When parcels are in areas that for environmental or other reasons cannot be further subdivided, the *Existing Lot Size (X)* classification is combined with the LR classification. A designation of LR-X means that the property cannot be further subdivided.

Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

Density transfer and cluster development permitted.

**4.05.04 Medium Density (MDR) Residential****4.05.04(A) Summary of Major Findings**

**Purpose:** Medium Density Residential lands are intended to provide land area for a range of densities and a variety of housing types and ownerships, including townhomes, multiple family residential development, mobile home parks, and more urban-scale density development. Lands classified for MR densities shall be located within the incorporated City, Ukiah Sphere of Influence, Master Plan areas, or Rural Communities. MR lands are intended to be located in proximity to parks, schools, and public services.

<sup>14</sup>In the AG, RMR, RL, LR, and the Medium and High Density Residential classifications, density is used as the standard for number of units per acre rather than parcel size to allow flexibility in development design. The size of parcel is an issue reviewed as a part of the overall project design related to its specific site. The maximum density within the classification cannot be exceeded.

**4.05.04(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Single family dwellings, duplex or triplex units, apartments, townhomes, planned unit development, mobile homes parks, places of assembly, public facilities, businesses in the home that generate minimal onsite customer traffic. Three or more units on a single parcel are considered "multiple family residential," even if the units are detached.

**Siting issues for new parcels or new construction:**

**Location:** Parcels to be included in the MR land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, and Master Plan Areas.

**Access to new structures:** Paved surface required.

**Design review:** Required; individual single family homes constructed on individual parcels and not as part of a planned unit development or Master Plan Area are exempt.

**Maximum density:** One to fourteen dwelling units per one acre of gross land area with public water and public sewer; one dwelling unit per 12,000 square feet of gross land area with public water or public sewer; one dwelling unit per one acre of gross land area with well and septic.

**Second dwellings:** Not applicable. Two single family dwellings or a duplex are permitted uses.

**Special development issues:** Landscaping and onsite open space or recreation areas are required for projects when design review is required. On roads with a level of service of E or F, the maximum density is one dwelling unit per existing parcel. Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas. Density transfer and cluster development permitted.

**4.05.05 High Density (HDR) Residential**

**4.05.05(A) Summary of Major Findings**

**Purpose:** High Density (HR) Residential lands are intended to be used to site apartment or townhome projects to meet the diverse needs of the population in terms of mixed types and affordability of housing. The HR classification is permitted within the incorporated City, the Sphere of Influence, and in the Rural Communities of Calpella, The Forks. The HR classification is also permitted as a part of a planned unit development or Master Plan Area. The HR classification is also intended to provide opportunities for limited neighborhood-directed commercial development that is designed to serve the needs of a residential area.

**4.05.05(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Single family dwellings, duplex or triplex units, apartments, townhomes, planned unit development, mobile homes parks, places of assembly, public facilities, businesses in the home that do not generate or require onsite customer traffic in order to succeed. Conditional uses may include neighborhood-directed commercial uses in high density residential neighborhoods — a convenience store, video rental, laundromat, hair stylist, or similar types of uses that are sized and intended to serve the needs of the immediate neighborhood area are appropriate uses. Three or more units on a single parcel are considered "multiple family residential," even if the units are detached.

**Siting issues for new parcels or new construction:**

**Location:** Parcels to be included in the HR land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, Master Plan Areas.

**Access:** New parcels may be located on roads classified as Arterial, Major Collector, Minor Collector, or County Rural Collector with a level of service of A, B, C, or D.

**Access to new structures:** Paved access required.

**Design review:** Required; individual single family residences on an existing single family parcel, unless part of a planned development or other project where design review is required, are exempt.

**Maximum density:** One to twenty-eight dwelling units per one acre of gross land area with public sewer and public water; one dwelling unit per 12,000 square feet of gross land area with public water or public sewer; one dwelling unit per one acre with well and septic.

**Second dwellings:** Not applicable. Two single family dwellings or a duplex are permitted uses.

**Special development issues:** Landscaping and onsite open space or recreation areas are required if design review is required. On roads with a level of service of E or F, the maximum density is one dwelling unit per existing parcel. Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas. Density transfer and cluster development permitted.

**4.06 Economic development land uses**

**4.06.01 Commercial ©**

**4.06.01(A) Summary of major findings**

**Purpose:** The Commercial © classification applies to lands appropriate for a variety of commercial uses. Lands classified Commercial shall sited be within the City of Ukiah, Ukiah Sphere of Influence, Master Plan Areas, or Rural Communities. Commercial lands shall be served by the publicly-maintained roads classified as Arterial, County Rural Collector, or Major Collector and in locations where future growth is anticipated. Commercial lands identify those areas of the General Plan where commerce and business may occur. Commercial uses may be managed and more precisely defined through the assignment

of individual zoning districts. This ensures land use compatibility reflecting site specific conditions and requirements.

**4.06.01(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Primary uses include retail, service businesses, general commercial, shopping centers, shopping malls, public facilities, places of public assembly, parking lots, and residential uses.

**Siting issues for new parcels or new construction:**

*Location:* Parcels to be included in the C land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, North State Complex, and Master Plan Areas.

*Zoning discretion:* The City and County have the discretion to control the building intensity through the use of different zoning districts within the "C" classification. The City and County may specify zones that manage land uses on the basis of compatibility with adjoining land use or zoning. These controls may include limits to the types of uses — such as offices, "light" commercial, medical offices, or convenience services — that are less impactful on the neighboring land uses, particularly as the proposal relates to adjoining residential land uses.

*Access:* Commercial parcels may be located on County Rural Collectors, Arterial or Major Collector roads with a level of service of A, B, C, or D.

*Access to new structures:* Paved surface required.

*Design review:* Required; single family residential dwellings on existing parcels are exempt from design review, except that at the time of conversion to a non-single family residential use, the property is subject to design review prior to the issuance of any permits, including business licenses.

*Maximum building intensity:* With the exception of the Downtown Master Plan area when off-site parking is provided through a parking district, the maximum lot coverage shall be forty percent of the gross land area. Residential densities are up to twenty-eight dwelling units per acre provided that both public water and public sewer are available.

*Public facilities:* Connection to public water supply and public sewage disposal (where available) are required for new commercial development. If public water or public sewer are not available, new commercial development shall comply with the requirements of the Division of Environmental Health.

*Second dwellings:* Not applicable.

*Special development issues:* Landscaping and onsite parking required when design review is required. Exterior lighting shall be shielded from glare onto off-site properties. Conformance to noise standards required. Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

#### **4.06.02 Industrial (I)**

##### **4.06.02(A) Summary of Major Findings**

**Purpose:** Industrial lands are intended to identify those areas of the General Plan where manufacturing and major employment uses may occur. The Industrial classification applies to lands suited for industrial uses where public facilities and services (transportation systems, utilities, fire protection, water, and sewage disposal) exist or can be efficiently provided. Industrial uses may be sited where there can be the least impact to proximate uses and where the potential for environmental disruption is minimal or can be adequately controlled. Industrial uses may be managed through individual zoning districts to ensure a level of land use compatibility that reflects site specific conditions and requirements. New Industrial lands are intended to be located in the City limits, the Sphere of Influence, Master Plan Areas, or within the Calpella or The Forks Rural Communities or the North State Complex. Industrial uses are not permitted in the Talmage Rural Community. The Pinoleville Rancheria is a mixture of lands owned by the Pomo Indians and some private parcels. The County has long allowed a unique mixture of industrial uses on small parcels as well as property owner residences. Within the Pinoleville Rancheria, single family residences are allowed on lands designated as "I." Otherwise no residential uses, other than a caretaker, are permitted within the I classification.

##### **4.06.02(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Primary uses: Processing and manufacturing, public facilities, places of assembly, fabrication and assembly, business centers, business parks, office parks, mixed commercial, office, and industrial sites. Limited live-work uses shall also be permitted.

##### **Siting issues for new parcels or new construction:**

*Location:* Parcels to be included in the I land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas—except Talmage, North State Complex, and Master Plan Areas.

*Zoning discretion:* The City and County have the discretion to control the building intensity through the use of different zoning districts within the "C" classification. The City and County may specify zones that manage land uses on the basis of compatibility with adjoining land use or zoning. These controls may include limits to the types of uses — such as offices, "light" commercial, medical offices, or convenience services — that are less impactful on the neighboring land uses, particularly as the proposal relates to adjoining residential land uses.

*Access:* Industrial parcels may be located on County Rural Collectors, Arterial or newly constructed or improved Major Collector roads with a level of service of A, B, C, or D.

*Access to new structures:* Paved surface required.

*Design review:* Required.

*Maximum building intensity:* Maximum lot coverage shall be sixty percent of the gross land area.

*Public facilities:* Connection to public water supply and public sewage disposal are required for new development in the City. Industrial uses in the unincorporated area may be exempt from water or sewer connection if approved by the Division of Environmental Health.

*Second dwellings:* Not permitted.

*Special development issues:* Lands classified as I shall be located within the incorporated City, Ukiah Sphere of Influence, Master Plan Areas, the Rural Communities of Calpella or The Forks, or the North State Complex. Landscaping and onsite parking required. Exterior lighting shall be shielded to prevent glare on off-site properties. Other than a single mobile home for a caretaker, no residential uses are permitted in the I classification. In the Pinoleville Rancheria one single family unit is permitted and a second unit is permitted upon review and approval of an administrative permit. Conformance to noise standards required. Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

#### **4.06.03 North State Complex**

##### **4.06.03(A) Summary of major findings**

**Purpose:**The North State Complex identifies a fixed area that serves the long-term commercial and industrial development needs outside of the City. The Complex is not a land use classification, but an area into which commercial and industrial ("C" and "I") land uses may be placed. This area has long been developed with heavy industrial uses, including Masonite Hardboard and Louisiana Pacific. There are also a variety of community facilities and services, places of employment, and limited retail shopping. Although there are some residences and mobile home parks within the area, residential uses are not compatible with the density and intensity of commercial and industrial development in the area. Except for caretakers at industrial sites, new residential uses shall not be permitted, administrative, or conditional land uses regardless of the zoning district applied to a parcel.

##### **4.06.03(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Primary uses: Industrial — Processing and manufacturing, public facilities, places of assembly, fabrication and assembly, business centers, business parks, office parks, mixed commercial, office, and industrial sites. Commercial — retail, service businesses, general commercial, shopping centers, shopping malls, public facilities, places of public assembly, parking lots, and residential uses.

**Siting issues for new parcels or new construction:**

*Location:* Along North State Street from US 101 to the south boundary of The Forks Rural Community Area.

*Access:* Industrial and commercial parcels may be located on County Rural Collectors, Arterial or newly constructed or improved Major Collector roads with a level of service of A, B, C, or D.

*Access to new structures:* Paved surface required.

*Design review:* Required.

*Maximum building intensity:* Per the "C" or "I" classification requirements.

*Public facilities:* Industrial uses in the unincorporated area may be exempt from water or sewer connection if approved by the Division of Environmental Health.

*Residential uses:* Not permitted in the "I" classification. A single caretaker's unit in a mobile home may be allowed with an administrative use permit from the County.

*Second dwellings:* Not permitted.

**4.06.04 Rural Community (RC)****4.06.04(A) Summary of major findings**

**Purpose:** The Rural Community (RC) classification applies to Calpella, The Forks, and Talmage. This classification is directed to the unincorporated communities within the Planning Area. Calpella, The Forks, and Talmage provide a variety of community facilities and services, places of employment, and limited retail shopping. The RC classification used in the General Plan allows flexible and diverse land uses within the communities in order to provide a centralized area that serves its businesses and residents. A Rural Community serves as compact urban-style development. Land uses may be assigned through specific zoning in conformance with Table IV-4. There are exceptions to the general siting provisions: In Talmage, industrial uses are not permitted in order to maintain its agrarian nature.

The Forks Rural Community is intended to be an area where higher density residential and commercial uses can be located. Rather than threaten the long-term economic viability of commercial and industrial uses in the North State Complex, The Forks RC is intended to focus on a mixture of residential, commercial, and industrial uses. One of the industrial uses in The Forks is the Parnum Construction materials yard. This long-established land use is the primary industry in The Forks. New residential development needs to be sited and site designed to protect the industrial uses in the area.

Talmage was built in response to the construction of a State Mental hospital in the area in 1892. The State hospital was a huge, self sustaining complex, including a dairy, garden, houses for workers, staff, and patients. All of the buildings which were built in the late 1800's related directly to the hospital. The hospital complex currently serves as the City of Ten Thousand Buddhas Center. The Rural Community classification is used to maintain the town's existing character encouraging in-fill of undeveloped lots. Commercial is intended to be limited to uses that serve the area or are needed as to support agribusiness in the Valley. Industrial uses are not otherwise allowed. The community is not a growth area in the

Valley. This means that the General Plan does not intend for new urban growth to expand from Ukiah across the river towards Talmage or to expand the General Plan-defined Rural Community boundaries.

**4.06.04(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:**<sup>15</sup> Single family dwellings, duplex, triplex, multi-family, apartments, mobile home parks, commercial, home occupations, cottage industries, industrial, public facilities, public services, public assemblies, utility installations.

**Siting issues for new parcels or new construction:**

*Location:* As designated on the General Plan land use map as "Rural Community." No Industrial uses are permitted in Talmage.

*Access:* New parcels may be located on any classification of road.

*Access to new structures:* Paved surface required.

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<sup>15</sup>With the exception that industrial uses are not permitted in the Talmage Rural Community.

**Table VI.4-43: Land Use/Zoning Criteria in Rural Communities<sup>†</sup>**

Public facilities and road classifications	IND	COML	Residential Density			PUB
			HIGH	MED	LOW	
<b>Roads and Highways: Functional Service Classifications</b>						
Major or minor arterial	●†	●	●	●	✕	●
Rural collector	■†	●	●	●	■	●
Residential (paved)	✕	✕	●	●	●	●
Residential (unpaved)	✕	✕	✕	■	■	●
<b>Public Facilities and Services: Sewage disposal and water supply</b>						
Public/community water and sewer	●†	●	●	●	●	●
Public/community water or septic	■	●	■	■	●	●
Individual well and septic	■	■	✕	■	●	●
● = Generally acceptable land use • ■ = Conditionally acceptable • ✕ = Not acceptable †Industrial uses are not permitted in the Talmage Rural Community						
†Within Rural Communities, selection of precise zoning districts is a discretionary action. This table identifies the minimum siting criteria necessary for a class of zone (industrial, commercial, multi-family, single family) to be considered. Other criteria — including wetlands, flood plain, availability of public facilities and services — may also affect the approval of a specific zone on a specific parcel.						

**Design review:** Required for all uses except single family homes on individual parcels.

**Maximum building intensity:** Maximum lot coverage for commercial uses shall be forty percent and industrial uses shall be thirty percent of the gross land area.

**Maximum density:** Within water and sewer districts - One to twenty-eight dwelling units per acre; Within water or sewer districts — one unit per twelve thousand square feet; Not in a water or sewer district — one dwelling per acre.

**Selection of land use classification for zoning purposes:** The following table shows the minimum siting criteria that are used in judging the appropriate zoning district for a parcel of land within a Rural Community. No industrial uses are permitted in Talmage.

**Public facilities:** Connection to public water supply and public sewage disposal are required when available; for new commercial development. Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

**Second dwellings:** Permitted subject to discretionary approval and review of an administrative permit by the County on parcels within single family residential zoning districts only and within the County's RC zoning district.

*Special development issues:* Landscaping and onsite parking required except for individual single family homes on individual parcels that are not a part of a planned development or other subdivision requiring design review.

Exterior lighting shall be shielded to prevent glare on off-site properties. Other than a single mobile home for a caretaker, no residential uses are permitted in Industrial zones.

Conformance to noise standards required for commercial and industrial uses.

Fire safety standards per the requirements of the responsible fire protection agency shall be satisfied within both incorporated and unincorporated areas.

Density transfer and cluster development are permitted.

## **4.07 Recreation and public land uses**

### **4.07.01 Recreation land uses (REC)**

#### **4.07.01(A) Summary of major findings**

**Purpose:** The Recreation land use is intended to identify recreation facilities with generally unrestricted access. REC lands apply to public parks and recreation facilities, quasi-public recreation facilities within residential development, and private parks or recreation facilities such as campgrounds or private golf courses.

#### **4.07.01(B) General Plan policies identifying standards and requirements for the implementing program for this zone**

**Examples of allowable uses:** Campgrounds, parks, baseball fields, soccer fields, BMX tracks, RV parks, golf courses, country club facilities.

**Siting issues:** Parks may be located in either residential or commercial areas. Site size or proximity to noise sensitive land uses are based on the proposed use of the REC lands. New developments around an existing park (or planned within a proposed development) should provide convenient bicycle and pedestrian paths within the development that provide easy and convenient access to area parks.

**Location:** Parcels to be included in the REC land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, Master Plan Areas, and the remainder of the Unincorporated Planning Area.

**Second dwellings:** Permitted subject to an administrative or conditional use permit in the unincorporated Planning Area.

**Application requirements:** Independent facilities on REC land uses are to be subject to the conditional use permit process. Parks or common area facilities within a planned project are to be considered as a part of the overall project approval.

## 4.07.02 Public (P)

### 4.07.02(A) *Summary of major findings*

**Purpose:** Public land uses include identification of lands owned by public agencies — the City, County, School, and special districts, and quasi-public utilities such as Pacific Gas & Electric and Pacific Bell. Public land uses identify facilities that are unlikely during the life of the Plan to be considered surplus property because of the extent or nature of the existing facility. The P classification is the equivalent of the County's Public Lands and Public Services classification.

### 4.07.02(B) *General Plan policies identifying standards and requirements for the implementing program for this zone*

**Examples of allowable uses:** Public utility facilities, utility installations, school facilities, administrative and medical facilities, civic uses, cemeteries, conservation and natural resource conservation areas.

**Siting criteria:** Based on project-specific requirements.

**Location:** Parcels to be included in the P land use classification may be located in the City of Ukiah, City of Ukiah Sphere of Influence, Rural Community areas, Master Plan Areas, and the remainder of the Unincorporated Planning Area.

## 4.07.03 Open Space (OS)

### 4.07.03(A) *Summary of major findings*

**Purpose:** The Open Space classification is intended to be applied as a combining classification with one of the base land use classifications (Residential, Commercial, Industrial, or Resource and Agriculture) to lands not suited for development or to land most valuable in its undeveloped state. Factors limiting the development of land would include such constraints as unstable soils, high fire hazard, remote location, poor access, or susceptibility to flooding. Valuable natural areas could include rare and endangered species and habitat, wildlife corridors, riparian vegetation zones, or wild and scenic rivers. The OS classification is the equivalent of the County's Open Space classification.

### 4.07.03(B) *General Plan policies identifying standards and requirements for the implementing program for this zone*

**Examples of allowable uses:** Single family dwellings, agriculture, conservation and development of natural resources, mineral extraction, recreation, essential utility installations.

**Application requirements:** One single family dwelling per parcel where compatible with the purpose of the Open Space classification. A conditional use permit is required in the unincorporated Planning Area. All other uses except for agriculture require a conditional use permit.

State law requires general plans to establish standards of population density and building intensity. Estimates for population in the land use categories are based on an average household of 2.5 persons, except for the High Density Multifamily Residential designation, which is based on an average of 2.1 person per household. If there is a discrepancy between dwelling units per acre and persons per acre, the number of dwelling units per acre shall govern.

**Table IV.4-44 Population Density and Building Intensity**

Land Use Designations	Maximum Population Density	Maximum Building Intensity
Agricultural Land Use (AG)	0.062 persons per acre	1 dwelling units 40 per acres
Range and Resource Lands (RL)	0.015 persons per acre	1 dwelling units 160 per acres
Remote Residential (RMR)	0.062 persons per acre	1 dwelling units 40 per acres
Rural Density Residential (RR)	2.5 persons per acre	1 dwelling units per acre
Low Density Residential (LDR)	15 persons per acre	6 dwelling units per acre
Medium Density Residential (MDR)	35 persons per acre	14 dwelling units per acre
High Rural Density Residential (HDR)	58.8 persons per acre	28 dwelling units per acre
Commercial (C)	58.8 persons per acre	28 dwelling units per acre FAR 0.4
Industrial (I)	4.2 persons per acre	20 live/work units per acre
Public (P)	n/a	FAR 0.4

Note: This table does not reflect the actual population density or building intensity for existing development, rather it illustrates the maximum potential for vacant and underdeveloped parcels.